

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER  
of the NEW ENGLAND TEAMSTERS AND  
TRUCKING INDUSTRY PENSION FUND

Plaintiff,

v.

HOME FOOD MARKET, INC., AND PETER  
S. HILL AS PRESIDENT OF HOME FOOD  
MARKET, INC.,

Defendant.

C.A. No. 04CV11526 NG

**STIPULATION OF DISMISSAL AS TO DEFENDANT PETER S. HILL**

Pursuant to Federal Rule of Civil Procedure 41 (a)(1)(ii), the parties hereby stipulate to dismiss Defendant Peter S. Hill without prejudice with each party to bear his own costs.

For the Plaintiff,

CHARLES LANGONE, as FUND MANAGER  
Of the NEW ENGLAND TEAMSTERS AND  
TRUCKING INDUSTRY PENSION FUND,

By his Attorney,

/s/ Catherine M. Campbell

Catherine M. Campbell

BBO #549397

Feinberg, Campbell & Zack, P.C.

177 Milk Street

Boston, MA 02109

(617) 338-1976

For the Defendant,

PETER S. HILL,

By His Attorney,

/s/ Kevin Hern, Jr

Kevin Hern, Jr., Esq.

Rierner & Braunstein LLP

Three Center Plaza

Boston, MA 02108

(617) 880-3554

Dated: October 28, 2004

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